

*Schindler, J*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARTINES FRUITS & VEGETABLES,  
INC., a California Corporation,

Plaintiff,

-against-

AMERICAN PRESIDENT LINES, LTD.,  
a Delaware Corporation, ROBERT NAKO  
ENTERPRISES, INC., a California  
Corporation, dba YAMKO TRUCK LINES,  
and DOES 1 through DOES 25, inclusive,

Defendants.

Index No.: 07 CV 7082 (SAS)

**STIPULATION OF PARTIAL  
DISMISSAL**

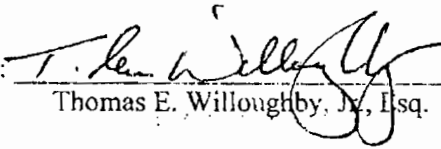
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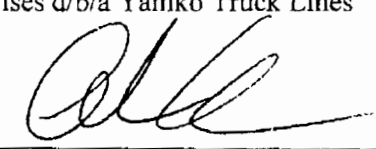
IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys that the  
above captioned lawsuit be and is hereby dismissed without prejudice and without costs to  
either party pursuant to Fed.R.Civ.P. 41(a) as against Robert Nako Enterprises, Inc. d/b/a  
Yamko Truck Lines ("Yamko") only.

Dated: October 19, 2007  
New York, New York

HILL RIVKINS & HAYDEN LLP  
Attorneys for Plaintiff Martines  
Fruits & Vegetables, Inc.

SCHINDEL, FARMAN, LIPSIOUS,  
GARDNER & RABINOVICH LLP  
Attorneys for Defendant Robert Nako  
Enterprises d/b/a Yamko Truck Lines

By:   
Thomas E. Willoughby, Jr., Esq.

By:   
Andrew Karonis, Esq.

SO ORDERED:

  
SHIRA SCHEINDLIN, U.S.D.J.

Date: Oct. 22, 2007